

REMARKS

Claims 20, 22-30, 33 and 35-38 are pending in the above application.

The Office Action dated October 20, 2005, has been received and carefully reviewed. In that Office Action, it was indicated that claims 20, 22/20, 23/20 and 27-38 were rejected under 35 U.S.C. 102(b) as being anticipated by Bunte. Claims 21, 22/21, 23/21 and 24-26 were objected to for being dependent upon a rejected base claim but were indicated to be allowable if amended to include the limitations of their base claims. Reconsideration and allowance of claims 20, 22-30, 22 and 35-38 is respectfully requested in view of the above amendments and following remarks.

Claim 21 was indicated to be allowable. By the above amendment, the limitations of claim 21 have been added to claim 20. The word “sets” in claim 21 has been changed to “renders” in amended claim 20 for consistency, but it is not believed that this change will affect the allowability of claim 20. Claims 20 and its dependent claims 22-30 are therefore submitted to be allowable.

Claim 38 was also rejected under 35 U.S.C. 102(b) as being anticipated by Bunte. By the above amendment, a frame rate control step corresponding to the frame rate control step of former claim 21 has been added to claim 38. It is believed that this amendment makes claim 38 allowable for the same reasons as amended claim 20.

Claims 31-33 were also rejected under 35 U.S.C. 102(b) as being anticipated by Bunte. By the above amendment, claim 33 has been rewritten in independent form and claims 31 and 32 have been cancelled. The scope of claim 33 has not been changed by this amendment.

Claim 33 requires a portable terminal device that includes a camera and a display unit housed in a main body. The portable terminal includes a marker indicating the position of the camera, the display unit is disposed on the main body directly behind an opening of the camera. The portable terminal also includes a marker display unit that displays image information representing the marker on the display unit. An embodiment of the invention that falls within the scope of this claim is illustrated in Figures 10A-10B. The Office Action indicates that Bunte includes a viewfinder “indicating the position of the camera.” It therefore appears that the viewfinder is being interpreted as the claimed “marker.” Applicant does not agree with this

interpretation. However, even under this interpretation, Bunte does not disclose a marker display unit that displays image information representing the marker / viewfinder on the display as required by claim 33. Under this interpretation, Bunte would have to display image information representing the viewfinder on the display. Claim 33 is submitted to be allowable over Bunte for at least this reason.

CONCLUSION

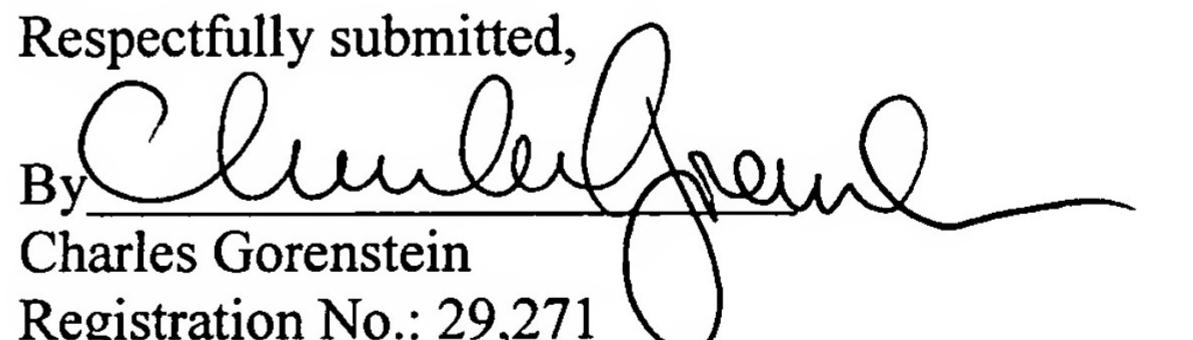
Each issue raised in the Office Action dated October 20, 2005, has been addressed, and it is believed that claims 20, 22-30, 33 and 35-38 are in condition for allowance. Wherefore, reconsideration and allowance of these claims is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: December 27, 2005

Respectfully submitted,

By 
Charles Gorenstein
Registration No.: 29,271
Scott T. Wakeman
Registration No.: 37,750
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorneys for Applicant